

Baldy Creek Placer Exploration Project: NPT comments

- The legal description in the narrative does not match the legal description or depiction on the map
- Instream flows have been established and are held by the Idaho Water Resources Board for selected streams of importance to the Nez Perce Tribe, as part of the Snake River Basin Adjudication Settlement. Newsome Creek has been placed on the “A” stream list with specific requirements regarding instream flows.
 - How much water will be withdrawn from Baldy Creek?
 - How will this effect stream flow in Newsome Creek?
- There are Threatened, Endangered, and/or Sensitive fish species and/or habitat in Baldy Creek (Chinook, Steelhead, Bull Trout, and Cutthroat). How might they be impacted? Any potential impacts should be fully explored. NPT staff believes this project should require consultation with the services.
- The South Fork Clearwater River Plan was adopted by the Idaho Water Resource Board in 2004 and approved by the legislature in 2005. Idaho Water Resource Board designated Newsome Creek and several tributaries as Recreational Rivers. With this designation comes prohibited activities’ including Dredge or placer mining (including recreational dredging, except where allowed through application for permit, Form 3804-B).
<http://www.idwr.idaho.gov/waterboard/WaterPlanning/CompBasinPlanning/Clearwater%20SF/clearwater-sf.htm>

Should this application even be considered?

- **NPT staff believes this project should not be considered under small NEPA, but rather an EA or EIS, taking into consideration the cumulative effects of all other mining (Heritage Gulch, Heritage 2, Newsome Creek Placer, and and others) and non-mining proposals within the watershed.**
- How will this project affect fish populations?
- What other aquatic species or habitat may be impacted?
- Will this project cause stream sedimentation?
- Has this applicant worked on forest service property before?
 - If so, how was their performance? Any past performance needs to be evaluated and current and future permits tailored and complied to ensure all aspects of the permit are followed and there is no resource damaged caused by the proposed operation.

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- Are resource advisors included in compliance, monitoring, and determinations of proper site reclamation? If not, we strongly encourage the forest service to assign staff that has expertise in mining, reclamation, hydrology, fisheries, and watershed to each of these projects to assure protection of resources.
 - Specifically, work should be suspended in excessive rainy periods; all new and existing test pits, roads, trails, stockpiles, adit openings used by the permittee should employ adequate erosion controls to prevent sediment from reaching any stream. If observed, as a condition of the permit work should be halted until the problem is corrected. Disturbed areas and rehabilitation plan should include conservation of topsoil, finish grading to minimize erosion and restore natural slope, grass seeding, and scattering of debris over the disturbed areas.
- How is bonding calculated? How long is the bond held? – until the completion or operations or until vegetation is re-established and it is clear that reclamation has been achieved?
- Will bonding cover any potential cumulative effects or impacts that this project contributes to?
- What will happen if subsurface water is found during excavation ?
- What other testing for toxics and contaminants has been completed? Water should be thoroughly tested before any land application is allowed.
- Why are any operations being allowed within the RCA?
- The claimant needs to obtain all necessary permits and furnish copies to the Forest prior to any decision on this project.
- Is the primitive road/trail a system road? How will the Forest grant access on this road? How will this road be accounted for in the Forest's travel management plan over time?
- Will the stream be crossed?
- How deep does the proponent have to dig to get to bedrock?
- How will the proponent shore up the test pits to avoid cave-ins?
- What is the water table and subsurface hydrology of the area?
- How have the effects on the water table and subsurface hydrology been analyzed?
- How will this project affect stream flows?

Baldy Creek Placer Exploration Project: NPT comments (continued)

- What effect will this proposal have on stream temperatures?
- What will happen if the proponent encounters subsurface water while excavating?
 - NPT staff has past experience excavating in the Crooked River area with a 580 Case Backhoe. This staff member encountered an upwelling of groundwater (described as a “gusher”) that nearly swallowed the machine. This staff member has long time experience in the Newsome, American, Red, and Crooked River Valleys and indicates that all of these valleys could/may be similar. Full analysis of the subsurface hydrology should be completed prior to authorizing any excavation work.
- USFS and NPT partnered to complete restoration work in the Newsome Creek area as recently as last year.
 - How will this proposal affect these restoration efforts?
 - How is the Forest Service going to mitigate for this?